

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

|                          |   |   |
|--------------------------|---|---|
| UNITED STATES OF AMERICA | ) |   |
|                          | ) | 09-CR-30001-MAP                           |
|                          | ) |   |
|                          | ) | <u>VIOLATIONS</u>                         |
| v.                       | ) |   |
|                          | ) | 18 U.S.C. § 241: Conspiracy Against Civil |
|                          | ) | Rights                                    |
|                          | ) |   |
|                          | ) | 18 U.S.C. § 247(c): Damage or             |
|                          | ) | Destruction to Religious Real Property    |
| MICHAEL JACQUES, and     | ) |   |
| THOMAS GLEASON,          | ) | 18 U.S.C. § 844(h)(1): Use of Fire to     |
| Defendants.              | ) | Commit a Felony                           |

SUPERSEDING INDICTMENT

The Grand Jury Charges:

COUNT ONE: (18 U.S.C. § 241 - Conspiracy Against Civil Rights)

Introduction

At all times relevant to this Superseding Indictment:

1. The Macedonia Church of God in Christ (the “Church”) was a church located in Springfield, MA.
2. The Church was comprised of approximately 300 members. Over ninety percent of the members of the Church were African-American.
3. Bishop Bryant Robinson, the Chief Executive Officer and Pastor of the Church, was an African-American man.
4. In 2007, Bishop Robinson and the Church began construction of a new church building at 215 Tinkham Road, Springfield, MA. The Church owned the property on which the new church building was being constructed.

5. On November 5, 2008, construction of the new church building was approximately seventy-five percent completed.

**The Conspiracy Against Civil Rights**

During a time beginning on or about November 4, 2008, and continuing to a date on or about November 5, 2008, in Springfield, in the District of Massachusetts, the defendants,

MICHAEL JACQUES and

THOMAS GLEASON,

and others, did knowingly and willfully conspire and agree with one another to injure, oppress, threaten and intimidate the members, parishioners and Bishop of the Macedonia Church of God in Christ in the free exercise and enjoyment of a right secured to them by the Constitution and laws of the United States: that is, the right to hold real and personal property in the same manner as that right is enjoyed by white citizens.

It was part of the plan and purpose of this conspiracy that the defendants, MICHAEL JACQUES and THOMAS GLEASON, and others, would burn the new church building which was being built by the Bishop, parishioners and members of the Macedonia Church of God in Christ because of the race of the Church's Bishop, parishioners and members, and in retaliation for the election of Barack Obama, an African-American, as President of the United States on November 4, 2008.

In furtherance of the conspiracy and to accomplish its objectives, the defendants, MICHAEL JACQUES and THOMAS GLEASON committed the following acts, among others, all of which occurred in November, 2008, in Springfield, within the District of Massachusetts:

- i. The co-conspirators, MICHAEL JACQUES, THOMAS GLEASON, and others, used racial slurs and expressed anger about the election of Barack Obama as the next President of the United States.
- ii. The co-conspirators, MICHAEL JACQUES, THOMAS GLEASON, and others, discussed burning the new church building that was being constructed by the Macedonia Church of God in Christ because the church members, congregation and Bishop were African-American.
- iii. The defendants, MICHAEL JACQUES, THOMAS GLEASON, and others walked through the woods to the rear of the new church building.
- iv. One or both of the defendants, MICHAEL JACQUES and THOMAS GLEASON and others entered the new church building through a window and poured gasoline on the interior of the building, and ignited the gasoline.
- v. One or more of the defendants, MICHAEL JACQUES and THOMAS GLEASON, and others poured gasoline on the exterior of the new church building, ignited the gasoline and started a fire that destroyed nearly the entire structure of the new church building.

The fire set by the defendants, MICHAEL JACQUES and THOMAS GLEASON, caused injuries to responding firefighters.

All in violation of Title 18, United States Code, Section 241.

COUNT TWO: (18 U.S.C. § 247(c) - Damage or Destruction to Religious Real Property)

The facts alleged in Count One of this Superseding Indictment are realleged and incorporated herein.

On or about November 5, 2008, in Springfield, in the District of Massachusetts, the defendants,

MICHAEL JACQUES and

THOMAS GLEASON,

did intentionally deface, damage and destroy, and attempt to deface, damage and destroy, religious real property, because of the race, color, and ethnic characteristics of the individuals associated with that property; that is, the defendants did intentionally set fire to the Macedonia Church of God in Christ's new church building at 215 Tinkham Road, Springfield, MA. This violation was committed by means of fire and resulted in bodily injuries to responding firefighters.

All in violation of Title 18, United States Code, Section 247(c).

COUNT THREE: (18 U.S.C. § 844(h)(1) - Use of Fire to Commit a Felony)

The facts alleged in Counts One and Two of this Superseding Indictment are realleged and incorporated herein.

On or about November 5, 2008, in Springfield, in the District of Massachusetts, the defendants,

MICHAEL JACQUES and

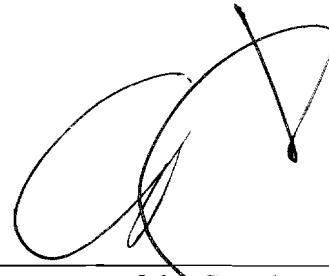
THOMAS GLEASON,

did knowingly and willfully use fire to commit an offense prosecutable as a felony in a court of the United States; that is, the defendants used fire to commit the felonies of:

1. Conspiracy Against Civil Rights charged in Count One of this Superseding Indictment and incorporated herein; and
2. Damage or Destruction to Religious Property charged in Count Two of this Superseding Indictment and incorporated herein.

All in violation of Title 18, United States Code, Section 844(h)(1).

A True Bill



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Foreperson of the Grand Jury

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Paul Hart Smyth  
Assistant U.S. Attorney



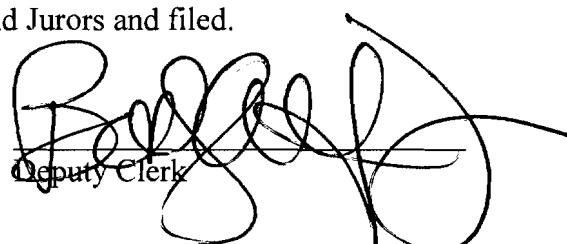
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Kevin O'Regan  
Assistant U.S. Attorney



\_\_\_\_\_  
Nicole Lee Ndumele  
Trial Attorney  
Department of Justice  
Civil Rights Division

DISTRICT OF MASSACHUSETTS; May 13, 2010. at 1:06 pm

Returned into the District Court by the Grand Jurors and filed.



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Deputy Clerk